

West Virginia Department of Environmental Protection

Bob Wise
Governor

Division of Air Quality

Stephanie R. Timmermeyer
Cabinet Secretary

Permit to Operate



Pursuant to

Title V

of the Clean Air Act

Issued to:

E.I. duPont de Nemours & Company, Inc.

Washington Works

Facilities, Construction, and Support (FC&S) (Part 12 of 14)

R30-10700001-2003

John A. Benedict

Director

Issued: August 13, 2004 • Effective: August 27, 2004
Expiration: August 13, 2009 • Renewal: February 13, 2009

Permit Number: **R30-10700001-2003**
Permittee: **E. I. duPont de Nemours & Company, Inc.**
Facility Name: **Washington Works**
Business Unit: **Facilities, Construction, and Support (FC&S) (Part 12 of 14)**
Mailing Address: **P.O. Box 1217, Washington, WV 26181-1217**

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 — Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Facility Location:	Washington, Wood County, West Virginia
Mailing Address:	P. O. Box 1217, Washington, WV 26181-1217
Telephone Number:	(304) 863-4240
Type of Business Entity:	Corporation
Facility Description:	Support activities for specific projects and maintenance
SIC Codes:	2821
UTM Coordinates:	442.368 km Easting • 4,346.679 km Northing • Zone 17

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.

Table of Contents

1.0.	Emission Units	4
2.0.	General Conditions.....	8
2.1.	Definitions	8
2.2.	Acronyms	8
2.3.	Permit Expiration and Renewal	9
2.4.	Permit Actions	9
2.5.	Reopening for Cause	9
2.6.	Administrative Permit Amendments	10
2.7.	Minor Permit Modifications	10
2.8.	Significant Permit Modification.....	10
2.9.	Emissions Trading	10
2.10.	Off-Permit Changes	10
2.11.	Operational Flexibility	11
2.12.	Reasonably Anticipated Operating Scenarios	12
2.13.	Duty to Comply.....	12
2.14.	Inspection and Entry	12
2.15.	Schedule of Compliance	13
2.16.	Need to Halt or Reduce Activity not a Defense	13
2.17.	Emergency	13
2.18.	Federally-Enforceable Requirements	14
2.19.	Duty to Provide Information	14
2.20.	Duty to Supplement and Correct Information	14
2.21.	Permit Shield	15
2.22.	Credible Evidence.....	15
2.23.	Severability	15
2.24.	Property Rights	15
2.25.	Acid Deposition Control	15
3.0.	Facility-Wide Requirements	17
3.1.	Limitations and Standards.....	17
3.2.	Monitoring Requirements	18
3.3.	Testing Requirements	18
3.4.	Recordkeeping Requirements	19
3.5.	Reporting Requirements	20
3.6.	Compliance Plan	22
3.7.	Permit Shield	22
4.0.	45CSR7 Requirements	25
4.1.	Limitations and Standards.....	25
4.2.	Monitoring Requirements	26
4.3.	Testing Requirements	27
4.4.	Recordkeeping Requirements	27

5.0.	Gasoline Fuel Tank (VCFT02) Requirements	29
5.1.	Limitations and Standards.....	29
5.2.	Monitoring Requirements	29
6.0.	Mineral Spirits Parts Cleaner (V238G01, VB0S08) Requirements.....	30
6.1.	Limitations and Standards.....	30
6.2.	Testing Requirements	30
6.3.	Recordkeeping Requirements	30
6.4.	Reporting Requirements	30
7.0.	“Hotsy” Propane Water Cleaner (V238G03 and VGM01) Requirements	32
7.1.	Limitations and Standards.....	32

1.0. Emission Units

Emission Point ID	Control Device	Emission Unit ID	Emission Unit Description	Design Capacity	Year Installed
V238G01E	None	V238G01	Mineral Spirits Parts Cleaner	44 Gallons	1991
VBOS08E	None	VBOS08	Mineral Spirits Parts Cleaner	44 Gallons	1991
VP004E	VP004C External Bag Filter	VP004	Bead Blast Unit w/integral collection and recovery system and an external filter	275 lb/hr	2003
VP005E	VP005C External Bag Filter	VP005	Bead Blast Unit w/integral collection and recovery system and an external filter	275 lb/hr	2004
VPSS03E	VPSS03C External Bag Filter	VPSS03	Bead Blast Unit w/integral collection and recovery system and an external filter	275 lb/hr	2001
V238G04E (inside vent)	None	V238G04	Grinder	8"	1991
V238G05E (inside vent)	None	V238G05	Drill Press	1HP – 1725 RPM	1991
VBOS02E (inside vent)	None	VBOS02	Dill Press	1.5 HP – 1725 RPM	1967
VDIS01E (inside vent)	VDIS01C Dust Collection System – Drum Mounted Filter Unit venting into work area	VDIS02	Band Saw	15"	1995
VCMDCS34E	VCMDCS34C Dust Collection Unit – Fabric Filter	VCMB3401	Insulation Exhaust Table	4' x 6"	1984
		VCMB3402	Insulation Band Saw	15" x 2"	1984
VIW01E (inside vent)	None	VIWS01	Drill Press	1 HP – 1800 RPM	1968
VIW02E (inside vent)	None	VIWS02	Drill Press	1 HP – 1800 RPM	1970
VIWS03E (inside vent)	None	VIWS03	Grinder	12"	1986
VIWS04E (inside vent)	None	VIWS04	Grinder	8"	1970
VIWS05E (inside vent)	None	VIWS05	Metal Chop Saw	24"	1968
VL01E (inside vent)	Water Spray Integral to Unit	VL01	Masonry Saw	18"	1970
VIWSE (inside vent)	None	VMW01	Grinder	12"	1981
		VMW02	Drill Press	1 HP – 1800 RPM	1970
VP001E (inside vent)	None	VP001	Grinder	12"	1985

Emission Point ID	Control Device	Emission Unit ID	Emission Unit Description	Design Capacity	Year Installed
VP002E (inside vent)	None	VP002	Grinder	8"	1970
VP003E (inside vent)	None	VP003	Grinder	8"	1991
VP006E (inside vent)	None	VP006	Drill Press	1.5 HP – 1725 RPM	1968
VP007E (inside vent)	None	VP007	Drill Press	1.0 HP – 1725 RPM	1968
VP008E (inside vent)	None	VP008	Drill Press	1.5 HP – 1725 RPM	1998
VP009E (inside vent)	None	VP009	Metal Chop Saw	14"	1967
VP010E (inside vent)	None	VP010	Pipe Flanging Machine	20/hour	1967
VP011E (inside vent)	None	VP011	Grinder	8"	1990
VSM01E (inside vent)	None	VSM01	Drill Press	1140 RPM	1989
VSM02E (inside vent)	None	VSM02	Drill Press	1.5 HP – 1750 RPM	1998
VSM03E (inside vent)	None	VSM03	Grinder	12"	1981
VSM04E (inside vent)	None	VSM04	Metal Nippers/Cutter	2.0 HP – 1800 RPM	1972
VSM05E (inside vent)	None	VSM05	Metal Break	8'	1991
VES01E (inside vent)	None	VES01	Grinder	8"	1991
VES02E (inside vent)	None	VES02	Drill Press	1 HP – 1750 RPM	1978
VES03E (inside vent)	None	VES03	Drill Press	1 HP – 1750 RPM	1991
VES04E (inside vent)	None	VES04	Drill Press	1/6 HP – 1750 RPM	1997
VES05E (inside vent)	None	VES05	Pipe Threading Machine	3 HP	1967
VPS01E (inside vent)	None	VPS01	Grinder	6"	2003

Emission Point ID	Control Device	Emission Unit ID	Emission Unit Description	Design Capacity	Year Installed
VPSS01E (inside vent)	None	VPSS01	Grinder	8"	1970
VPSS02E (inside vent)	None	VPSS02	Grinder	8"	1996
VPSS04E (inside vent)	None	VPSS04	Drill Press	½ HP – 1140 RPM	1979
VTCS01E (inside vent)	None	VTCS01	Grinder	6"	1991
VZIS01E (inside vent)	VZIS01C Dust Collection System - Drum Mounted Filter Unit	VZIS02	Exhaust Table	4' x 6"	1979
		VZIS03	Exhaust Table	4' x 6"	1979
VTIS01E	VTIS01C Dust Collection System – Cabinet Filter System	VTIS02	Band Saw – Insulation	15"	1991
VBOS03E (inside vent)	VBOS03C Dust Collection System – Drum Mounted Filter Unit venting into work area	VBOS04	Exhaust Table	4' x 6'	1969
		VBOS05	Band Saw	15"	1969
VCS01E (inside vent)	VCS01C Wood Dust Collection System – Drum Mounted Filter Unit venting into work area	VCS04	Band Saw	15"	1968
VCS02E (inside vent)	VCS02C Wood Dust Collection System – Drum Mounted Filter Unit venting into work area	VCS05	Table Saw	7.5 HP	2000
VCS03E	VCS03C Wood Dust Collection System – Cyclone Separator with particulate collection drum	VCS03	Radial Arm Saw	2 HP	1968
VBOS06E (inside vent)	None	VBOS06	Grinder	12"	1967
VBOS07E (inside vent)	None	VBOS07	Grinder	7"	1998
VES06E	None	VES06	Welding Fume Collection System	3HP – 3450 RPM	1980
VBOS01E	None	VBOS01	Welding Fume Collection System	3 HP – 3450 RPM	1980
VPSS05E	None	VPSS05	Welding Table Exhaust System	175 CFM	1979
VTCS02E	None	VTCS02	Welding Exhaust System	3 HP – 3450 RPM	2003
VTCS03E	None	VTCS03	Welding Table Exhaust System	175 CFM	1979
VS96Vent	None	VS96Fan	Genera Building Spot Ventilation	20 HP	1967

Emission Point ID	Control Device	Emission Unit ID	Emission Unit Description	Design Capacity	Year Installed
VPSVS01E	None	VPS02	Industrial Coatings Spray Applicator	2 GPH	1999
		VPS03	Industrial Coatings Spray Applicator	4 GPH	1999
V238G06E	None	V238G06	Fuel Recovery Tank w/hand pump	25 Gallons	1991
VCFT01E	None	VCFT01	Diesel Fuel Tank	125 Gallons	1985
VCFT02E	None	VCFT02	Gasoline Fuel Tank	125 Gallons	1985
V238G03E	None	V238G03	“Hotsy” Propane Hot Water Cleaner	300 GPH 0.4 MMBtu/hr	1991
VGM01E	None	VGM01	“Hotsy” Propane Hot Water Cleaner	240 GPH 0.35 MMBtu/hr	1999
V238G07E	None	V238G07	Used Motor Oil Tank	385 Gallons	1991
V238G08E	None	V238G08	Refrigerant Recovery System for Motor Vehicles	261 psig	1991
VTEMPWORK	None	VTEMPWORK	Temporary Field-erected Facilities for Construction and Maintenance Activities	N/A	On-going
VMIS01E	VMIS1C	VMIS02	Band Saw – Insulation	15”	2005

2.0. General Conditions

2.1. Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.2. Acronyms

CAAA	Clean Air Act Amendments	NSPS	New Source
CBI	Confidential Business Information		Performance Standards
CEM	Continuous Emission Monitor	PM	Particulate Matter
CES	Certified Emission Statement	PM₁₀	Particulate Matter less than 10µm in diameter
C.F.R. or CFR	Code of Federal Regulations		
CO	Carbon Monoxide	pph	Pounds per Hour
C.S.R. or CSR	Codes of State Rules	ppm	Parts per Million
DAQ	Division of Air Quality	PSD	Prevention of Significant Deterioration
DEP	Department of Environmental Protection	psi	Pounds per Square Inch
FOIA	Freedom of Information Act	SIC	Standard Industrial Classification
HAP	Hazardous Air Pollutant		
HON	Hazardous Organic NESHAP	SIP	State Implementation Plan
HP	Horsepower		
lbs/hr or lb/hr	Pounds per Hour	SO₂	Sulfur Dioxide
LDAR	Leak Detection and Repair	TAP	Toxic Air Pollutant
M	Thousand	TPY	Tons per Year
MACT	Maximum Achievable Control Technology	TRS	Total Reduced Sulfur
		TSP	Total Suspended Particulate
MM	Million		
MMBtu/hr or mmbtu/hr	Million British Thermal Units per Hour	USEPA	United States Environmental Protection Agency
MMCF/hr or mmcf/hr	Million Cubic Feet Burned per Hour	UTM	Universal Transverse Mercator
NA	Not Applicable		
NAAQS	National Ambient Air Quality Standards	VEE	Visual Emissions Evaluation
NESHAPS	National Emissions Standards for Hazardous Air Pollutants	VOC	Volatile Organic Compounds
NO_x	Nitrogen Oxides		

2.3. Permit Expiration and Renewal

- 2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.
[45CSR§30-5.1.b.]
- 2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.
[45CSR§30-4.1.a.3.]
- 2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.
[45CSR§30-6.3.b.]
- 2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.
[45CSR§30-6.3.c.]

2.4. Permit Actions

- 2.4.1. This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[45CSR§30-5.1.f.3.]

2.5. Reopening for Cause

- 2.5.1. This permit shall be reopened and revised under any of the following circumstances:
 - a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§30-6.6.a.1.A. or B.
 - b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.
 - c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
 - d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

[45CSR§30-6.6.a.]

2.6. Administrative Permit Amendments

- 2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.
[45CSR§30-6.4.]

2.7. Minor Permit Modifications

- 2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.
[45CSR§30-6.5.a.]

2.8. Significant Permit Modification

- 2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.
[45CSR§30-6.5.b.]

2.9. Emissions Trading

- 2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.
[45CSR§30-5.1.h.]

2.10. Off-Permit Changes

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:
- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
 - b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
 - c. The change shall not qualify for the permit shield.
 - d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
 - e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.

- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

[45CSR§30-5.9.]

2.11. Operational Flexibility

- 2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.

[45CSR§30-5.8]

- 2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.

[45CSR§30-5.8.a.]

- 2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

- a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or
- b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

[45CSR§30-5.8.c.]

- 2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements. [45CSR§30-2.39]

2.12. Reasonably Anticipated Operating Scenarios

- 2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.
- a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.
 - b. The permit shield shall extend to all terms and conditions under each such operating scenario; and
 - c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

2.13. Duty to Comply

- 2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[45CSR§30-5.1.f.1.]

2.14. Inspection and Entry

- 2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:
- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution Control equipment), practices, or operations regulated or required under the permit;
 - d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

2.15. Schedule of Compliance

- 2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:
- a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
 - b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

[45CSR§30-5.3.d.]

2.16. Need to Halt or Reduce Activity not a Defense

- 2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

[45CSR§30-5.1.f.2.]

2.17. Emergency

- 2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

[45CSR§30-5.7.a.]

- 2.17.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of 45CSR§30-5.7.c. are met.

[45CSR§30-5.7.b.]

- 2.17.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

[45CSR§30-5.7.c.]

- 2.17.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

[45CSR§30-5.7.d.]

- 2.17.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

[45CSR§30-5.7.e.]

2.18. Federally-Enforceable Requirements

- 2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.

[45CSR§30-5.2.a.]

- 2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

2.19. Duty to Provide Information

- 2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

[45CSR§30-5.1.f.5.]

2.20. Duty to Supplement and Correct Information

- 2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

[45CSR§30-4.2.]

2.21. Permit Shield

- 2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.

[45CSR§30-5.6.a.]

- 2.21.2. Nothing in this permit shall alter or affect the following:

- a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or
- b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.
- c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

[45CSR§30-5.6.c.]

2.22. Credible Evidence

- 2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.

[45CSR§30-5.3.e.3.B. and 45CSR38]

2.23. Severability

- 2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.

[45CSR§30-5.1.e.]

2.24. Property Rights

- 2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.

[45CSR§30-5.1.f.4]

2.25. Acid Deposition Control

- 2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.
- b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.
- c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

[45CSR§30-5.1.d.]

- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.

[45CSR§30-5.1.a.2.]

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). A copy of this notice is required to be sent to the USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health.
[40 C.F.R. 61 and 45CSR15]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.
[45CSR§13-10.5]
- 3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.
[45CSR§11-5.2]
- 3.1.7. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality.
[W.Va. Code § 22-5-4(a)(14)]
- 3.1.8. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.

[40 C.F.R. 82, Subpart F]

- 3.1.9. **Risk Management Plan.** This stationary source, as defined in 40 C.F.R. § 68.3, is subject to Part 68. This stationary source shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. Part 68.10. This stationary source shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.

[40 C.F.R. 68]

- 3.1.10. **Fugitives.** The owner or operator of a plant shall maintain particulate matter control of the plant premises, and plant owned, leased or controlled access roads, by paving, application of asphalt, chemical dust suppressants or other suitable dust control measures. Good operating practices shall be implemented and when necessary particulate matter suppressants shall be applied in relation to stockpiling and general material handling to minimize particulate matter generation and atmospheric entrainment. **[45CSR§7-5.2]**
- 3.1.11. Any stack serving any process source operation or air pollution control equipment on any process source operation shall contain flow straightening devices or a vertical run of sufficient length to establish flow patterns consistent with acceptable stack sampling procedures. **[45CSR§7-4.12.]**
- 3.1.12. Due to unavoidable malfunction of equipment, emissions exceeding those set forth in 45CSR7 may be permitted by the Director for periods not to exceed ten (10) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the malfunction. In cases of major equipment failure, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director. **[45CSR§7-9.1.]**

3.2. Monitoring Requirements

- 3.2.1. NA

3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders,

to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit will be revised in accordance with 45CSR§30-6.4. or 45CSR§30-6.5 as applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit will be revised in accordance with 45CSR§30-6.4. or 45CSR§30-6.5 as applicable.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

[WV Code § 22-5-4(a)(15) and 45CSR13]

3.4. Recordkeeping Requirements

- 3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:
 - a. The date, place as defined in this permit and time of sampling or measurements;
 - b. The date(s) analyses were performed;
 - c. The company or entity that performed the analyses;
 - d. The analytical techniques or methods used;
 - e. The results of the analyses; and
 - f. The operating conditions existing at the time of sampling or measurement.

[45CSR§30-5.1.c.2.A.]

- 3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records. [45CSR§30-5.1.c.2.B.]
- 3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received. Such record shall contain an assessment of the validity of the complaints as well as any corrective actions taken. [45CSR§30-5.1.c. State-Enforceable only.]
- 3.4.4. **Fugitives.** The permittee shall maintain records indicating the use of any dust suppressants or any other suitable dust control measures as required by 3.1.10. applied at the facility. These records shall be maintained on site for a period of no less than five (5) years. [45CSR§30-5.1.c.]

3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete. [45CSR§§30-4.4. and 5.1.c.3.D.]
- 3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31. [45CSR§30-5.1.c.3.E.]
- 3.5.3. All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

Phone: 304/926-0475
FAX: 304/926-0478

If to the US EPA:

Associate Director
Office of Enforcement and Permits Review
(3AP12)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

[45CSR§30-8.]

3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification.

[45CSR§30-5.3.e.]

3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4.

[45CSR§30-5.1.c.3.A.]

3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.

3.5.8. **Deviations.**

a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:

1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.

[45CSR§30-5.1.c.3.B.]

- c. Every report submitted under this subsection shall be certified by a responsible official.

[45CSR§30.5.1.c.3.D.]

- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.

[45CSR§30-4.3.h.1.B.]

3.6. Compliance Plan

- 3.6.1. NA

3.7. Permit Shield

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.

- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

- a. 40 C.F.R. 60, Subpart K - “Standards of Performance For Storage Vessels For Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.” There were no petroleum liquid storage tanks constructed in Facilities, Construction, and Support during these dates.
- b. 40 C.F.R. 60, Subpart Ka - “Standards of Performance for Storage Vessels For Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.” There are no petroleum liquid storage tanks constructed in Facilities, Construction, and Support during these dates with a capacity greater than 40,000 gallons.
- c. 40 C.F.R. 60, Subpart Kb - “Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.” There are no volatile organic liquid storage tanks constructed in Facilities, Construction, and Support after the effective date with a design capacity greater than 75 m³ (19,812.9 gallons).
- d. 40 C.F.R. 60, Subpart VV - “Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry.” Facilities, Construction, and Support does not produce as intermediates or final products any of the materials listed in 40 C.F.R. §60.489.

- e. 40 C.F.R. 60, Subpart DDD - “Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.” Facilities, Construction, and Support does not manufacture polypropylene, polyethylene, polystyrene, or poly(ethylene terephthalate) for which this rule applies.
- f. 40 C.F.R. 60, Subpart RRR - “Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes. Facilities, Construction, and Support does not produce any of the chemicals listed in 40 C.F.R. §60.707 as a product, co-product, by-product, or intermediate.
- g. 40 C.F.R. 61, Subpart V - “National Emission Standards for Equipment Leaks (Fugitive Emissions Sources).” Applies to sources in VHAP service as defined in 40 C.F.R. §61.241. VHAP service involves chemicals that are not used in a manner that qualifies them under the rule in Facilities, Construction, and Support.
- h. 40 C.F.R. 63, Subpart H - “National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.” 40 C.F.R. 63 Subparts F, G, and H do not apply to Facilities, Construction and Support manufacturing process units, as they do not meet the criteria in 40 C.F.R. §§63.100(b)(1), (b)(2), and (b)(3).
- i. 40 C.F.R. 63, Subpart JJJ - “National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins. Facilities, Construction, and Support does not produce the materials listed in 40 C.F.R. §63.1310.
- j. 40 C.F.R. 63, Subpart FFFF – “National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing.” Facilities, Construction, and Support does not manufacture any material or family of materials defined in §63.2435(b)(1)(i) through (v).
- k. 40 C.F.R. 63, Subpart WWW “National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Productions.” Facilities, Construction, and Support does not engage in reinforced plastics composites production as defined in 40 C.F.R. §63.5785 and does not manufacture composite material as defined in 40 C.F.R. §63.5935.
- l. 40 C.F.R. 63, Subpart PPPP – “National Emission Standards for Hazardous Air Pollutants: Surface Coating of Plastic Parts and Products.” Facilities, Construction, and Support does not produce an intermediate or final product that meets the definition of “surface coated” plastic part.
- m. 40 C.F.R. 63, Subpart IIII – “National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks.” Facilities, Construction, and Support does not engage in the surface coating of new automobile or light-duty truck bodies or body parts for new automobiles or light-duty trucks.
- n. 40 C.F.R. 63, Subpart MMMM – “National Emission Standards for Hazardous Air Pollutants: Surface Coating of Miscellaneous Metal Parts and Products.” There are no surface coating activities conducted in Facilities, Construction, and Support subject to the requirements of this rule.

- o. 40 C.F.R. 63, Subpart HHHHH – “National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing.” Facilities, Construction, and Support does not produce, blend, or manufacture coatings as part of the manufacturing process.
- p. 40 C.F.R. 82, Subpart C – “Protection of Stratospheric Ozone.” Bans non-essential products containing Class I substances and bans non-essential products containing or manufactured with Class II substances. Facilities, Construction, and Support does not use, manufacture, nor distribute these materials.
- q. 45CSR27 – “To Prevent and Control the Emission of Toxic Air Pollutants.” Facilities, Construction, and Support does not have emission sources of toxic air pollutants as listed in 45CSR27.
- r. 45CSR§21-19 – “Other Facilities that Emit Volatile Organic Compound (VOC).” The operations of Facilities, Construction, and Support are outside of the SIC grouping to which this section of 45CSR21 applies.
- s. 45CSR§21-40 – “Other Facilities that Emit Volatile Organic Compound (VOC).” None of the emission sources in Facilities, Construction, and Support have maximum theoretical emissions of 6 pounds per hour or more and are not subject to the requirements of this section.

4.0. 45CSR7 Requirements

4.1. Limitations and Standards

- 4.1.1. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity. These provisions shall not apply to smoke and/or particulate matter emitted from any process source operation which is less than forty (40) percent opacity for any period or periods aggregating no more than five (5) minutes in any sixty (60) minute period. (*VP004E, VP005E, VPSS03E, VCMDCS34E, VTIS01E, VCS03E, VES06E, VBOS01E, VPSS05E, VTCS02E, VTCS03E, VS96Vent, VPSVS01E, and VTEMPWORK*) [45CSR§§7-3.1. and 3.2]
- 4.1.2. No person shall cause, suffer, allow or permit particulate matter to be vented into the open air from any type source operation or duplicate source operation, or from all air pollution control equipment installed on any type source operation or duplicate source operation in excess of the quantity specified under the appropriate source operation type in Table 45-7A of 45CSR7.

Emission Points	45CSR7 Hourly Particulate Emission Limit pph
VP004E	0.8
VP005E	0.8
VPSS03E	0.8
VCMDCS34E	0.736
VTIS01E	0.368
VCS03E	0.435
VES06E	0.292
VBOS01E	0.292
VPSS05E	0.292
VTCS02E	0.292
VTCS03E	0.292
VS96Vent	0.292

(*VP004E, VP005E, VPSS03E, VCMDCS34E, VTIS01E, VCS03E, VES06E, VBOS01E, VPSS05E, VTCS02E, VTCS03E, and VS96Vent*) [45CSR§7-4.1.]

- 4.1.3. No person shall cause, suffer, allow or permit any manufacturing process or storage structure generating fugitive particulate matter to operate that is not equipped with a system, which may include, but not be limited to, process equipment design, control equipment design or operation and maintenance procedures, to minimize the emissions of fugitive particulate matter. To minimize means such system shall be installed, maintained and operated to ensure the lowest fugitive particulate matter emissions reasonably achievable. (*VMIS01E, V238G04E, V238G05E, VBOS02E, VDIS01E, VIW01E, VIW02E, VIWS03E, VIWS04E, VIWS05E, VL01E, VIWSE, VP001E, VP002E, VP003E, VP006E, VP007E, VP008E, VP009E, VP010E, VP011E, VSM01E, VSM02E, VSM03E, VSM04E, VSM05E, VES01E, VES02E, VES03E, VES04E, VES05E, VPS01E, VPSS01E,*

VPSS02E, VPSS04E, VTCS01E, VZIS01E, VBOS03E, VCS01E, VCS02E, VBOS06E, and VBOS07E)
[45CSR§7-5.1.]

- 4.1.4. Maintenance operations shall be exempt from the provisions of 45CSR§7-4 provided that at all times the owner or operator shall conduct maintenance operations in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Director which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures and inspection of the source. (*VMS01E, VPSVS01E and VTEMPWORK*) [45CSR§7-10.3]

4.2. Monitoring Requirements

- 4.2.1. For the purpose of determining compliance with the opacity limits of 45CSR§§7-3.1 and 3.2, the permittee shall conduct opacity monitoring and record keeping for all emission points and equipment subject to an opacity limit under 45CSR7. Monitoring shall be conducted at least once per month with a maximum of forty-five (45) days between consecutive readings. These checks shall be conducted by personnel trained in the practices and limitations of 40 C.F.R. 60, Appendix A, Method 22 during periods of normal operation of emission sources that vent from the referenced emission points for a sufficient time interval to determine if there is a visible emission. If visible emissions are identified during the visible emission check, or at any other time regardless of operations, the permittee shall conduct an opacity reading using the procedures and requirements of 45CSR7A within twenty-four (24) hours of the first signs of visible emissions. A 45CSR7A evaluation shall not be required if the visible emission condition is corrected within twenty-four (24) hours after the visible emission and the sources are operating at normal conditions. (*VES06E, VBOS01E, VPSS05E, VTCS02E, VTCS03E, VS96Vent, VPSVS01E, and VTEMPWORK*) [45CSR§30-5.1.c.]
- 4.2.2. The following work practices shall be employed for VP004E, VP005E, VPSS03E, VCMDCS34E, VZIS01E, and VTIS01E to minimize the potential of fugitive particulate matter and demonstrate compliance with the opacity limits of 4.1.1 and the hourly emission limits of 4.1.2.

1. Pre-Operation Checks

- (a) Ensure integrity of flexible fittings.
- (b) Operate Filter Shaker.
- (c) Ensure that filters are engaged.
- (d) Empty collector tray/drum or ensure sufficient capacity remains in the collector tray/drum to allow proper operation of the unit.

2. Post-Operation Checks

- (a) Check area around collector/recovery device for indications of leaks.
- (b) If leaks are noted, the sources of those will be repaired prior to the next use of the unit and any free particulate will be swept up and contained for proper disposal.

(*VP004E, VP005E, VPSS03E, VCMDCS34E, and VTIS01E*) [45CSR§30-5.1.c.]

- 4.2.3. The following work practices shall be employed for VCS03E to minimize the potential of fugitive particulate matter and demonstrate compliance with the opacity limits of 4.1.1 and the hourly emission limit of 4.1.2.

1. Pre-Operation Checks

- (a) Ensure integrity of flexible fittings.
- (b) Operate Cyclone Separator.
- (c) Ensure that Cyclone Separator is engaged.
- (d) Empty collector tray/drum or ensure sufficient capacity remains in the collector tray/drum to allow proper operation of the unit.

2. Post-Operation Checks

- (a) Check area around collector/recovery device for indications of leaks.
- (b) If leaks are noted, the sources of those will be repaired prior to the next use of the unit and any free particulate will be swept up and contained for proper disposal.

(VCS03E) [45CSR§30-5.1.c.]

4.3. Testing Requirements

- 4.3.1. At such reasonable times as the Director may designate, the operator of any manufacturing process source operation may be required to conduct or have conducted stack tests to determine the particulate matter loading in exhaust gases. Such tests shall be conducted in such manner as the Director may specify and be filed on forms and in a manner acceptable to the Director. The Director, or his duly authorized representative, may at his option witness or conduct such stack tests. Should the Director exercise his option to conduct such tests, the operator will provide all the necessary sampling connections and sampling ports to be located in such manner as the Director may require, power for test equipment and the required safety equipment such as scaffolding, railings and ladders to comply with generally accepted good safety practices. [45CSR§7-8.1]

4.4. Recordkeeping Requirements

- 4.4.1. Records of the visible emission observations required by 4.2.1 shall be maintained documenting the date and time of each visible emission check, the name of the responsible observer, the results of the check, and, if necessary, all corrective actions taken. These records shall be maintained on-site for a period of no less than five (5) years and made available to the Director or his duly authorized representative upon request. [45CSR§30-5.1.c.]
- 4.4.2. Records of the work practices performed for each emission unit and its associated control device, conducted in accordance with 4.2.2 and 4.2.3 shall be maintained on site for a period of no less than five (5) years. These records shall be in the form of a log for each unit and shall document that the first operator to use the unit in the calendar day performed the necessary inspections outlined in 4.2.2 and 4.2.3. These records shall also be used to document any problems which were discovered during inspection and the measures which were taken to correct the problem(s) and prevent the reoccurrence. [45CSR§30-5.1.c.]

- 4.4.3. The permittee shall monitor all fugitive particulate emission sources as required by 4.1.3. to ensure that a system to minimize fugitive emissions has been installed or implemented. Records shall be maintained on site for a period of no less than five (5) years stating the types of fugitive particulate capture and/or suppression systems used, the times these systems were inoperable, and the corrective actions taken to repair these systems. **[45CSR§30-5.1.c.]**
- 4.4.4. The permittee shall monitor all maintenance operations as required by 4.1.4. to ensure that a system to minimize particulate emissions has been installed or implemented. Records shall be maintained on site for a period of no less than five (5) years stating the types of particulate capture and/or suppression systems used, the times these systems were inoperable, and the corrective actions taken to repair these systems. **[45CSR§30-5.1.c.]**

5.0. Gasoline Fuel Tank (VCFT02) Requirements

5.1. Limitations and Standards

- 5.1.1. All gasoline storage vessels at gasoline dispensing facilities shall be loaded by submerged fill. [45CSR§21-23.2.a.1]

5.2. Monitoring Requirements

- 5.2.1. Compliance with the requirement to equip with the tank with a fill tube for submerged fill shall be verified upon inspection. [45CSR§30-5.1.c.]

6.0. Mineral Spirits Parts Cleaners (V238G01, VBOS08) Requirements

6.1. Limitations and Standards

6.1.1. The owner or operator of a cold cleaning facility shall:

- a. Provide a permanent, legible, conspicuous label, summarizing the operating requirements.
- b. Store waste solvent in covered containers.
- c. Close the cover whenever parts are not being handled in the cleaner.
- d. Drain the cleaned parts until dripping ceases.
- e. If used, supply a solvent spray that is a solid fluid stream (not a fine, atomized, or shower-type spray) at a pressure that does not exceed 10 pounds per square inch gauge (psig).
- f. Degrease only materials that are neither porous nor absorbent.

[45CSR§§21-30.3.a.4, 30.3.a.5, 30.3.a.6, 30.3.a.7, 30.3.a.8, 30.3.a.9]

6.2. Testing Requirements

6.2.1. Test Method ASTM D323-72 shall be used for measuring the solvent true vapor pressure.

[45CSR§21-30.4.e.]

6.3. Recordkeeping Requirements

6.3.1. Each owner or operator of a solvent metal cleaning source subject to this 45CSR§21-30 shall maintain the following records in a readily accessible location for at least 5 years and shall make these records available to the Director upon verbal or written request:

- a. A record of central equipment maintenance, such as replacement of the carbon in a carbon adsorption unit.
- b. The results of all tests conducted in accordance with the requirements in section 45CSR§21-30.4 (6.2.1.).

[45CSR§21-30.5. and 45CSR§30-5.1.c.]

6.4. Reporting Requirements

6.4.1. Except as provided in section 45CSR§21-9.3, the owner or operator of any facility containing sources subject to 45CSR§21-5 shall, for each occurrence of excess emissions expected to last more than 7 days, within 1 business day of becoming aware of such occurrence, supply the Director by letter with the following information.

- (1) The name and location of the facility;
- (2) The subject sources that caused the excess emissions;
- (3) The time and date of first observation of the excess emissions; and
- (4) The cause and expected duration of the excess emissions.

- (5) For sources subject to numerical emission limitations, the estimated rate of emissions (expressed in the units of the applicable emission limitation) and the operating data and calculations used in determining the magnitude of the excess emissions; and
- (6) The proposed corrective actions and schedule to correct the conditions causing the excess emissions.

[45CSR§21-5.2]

7.0. “Hotsy” Propane Water Cleaners (V238G03 and VGM01) Requirements

7.1. Limitations and Standards

- 7.1.1. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit which is greater than ten (10) percent opacity based on a six minute block average. **[45CSR§2-3.1]**